

3. Whether the case is to be tried by jury or non-jury. Plaintiffs requested a jury trial in their Complaint.

4. The anticipated length of trial. Plaintiffs believe the trial will last 3-4 weeks. Defendants believe that trial should last approximately three days.

5. Any other matter(s) that you believe should be brought to the Court's attention.

As discovery is closed, Defendants request that the Court set a schedule for pretrial proceedings. Defendants intend to file motions for leave to address two issues not resolved by the original summary judgment motions, which Defendants believe can and should be addressed prior to trial. More specifically, PNC will file a motion *in limine* asking the Court to resolve Plaintiffs' punitive damages claim in PNC's favor, for the reasons articulated by the Court in deciding the issue in favor of Safeguard. *See* ECF 156 at 77. Safeguard will seek leave to file a second motion for summary judgment as to any vicarious liability for the intentional theft, damage, and destruction of plaintiffs' personal property by Safeguard's subcontractor as such alleged theft, damage, and destruction of property was outside the scope of Mr. Twesigye's employment for the same reasons set forth in PNC's Motion for Summary Judgment and for the reasons set forth in the Court's Memorandum Opinion. *See* ECF 156 at 59. Plaintiffs oppose these motions. Plaintiffs state that they may file a motion for reconsideration concerning the ruling on the motions for summary judgment. Defendants will oppose any such motion for reconsideration.

Respectfully submitted,

SAFEGUARD PROPERTIES
MANAGEMENT, LLC
By Counsel

PNC BANK, N.A.,
By Counsel

/s/ Matthew D. Berkowitz
Matthew D. Berkowitz, Esq., (Bar #17999)
Samantha N. Lewis, Esq. (Bar #21318)
Carr Maloney, P.C.
2020 K Street, NW
Suite 850
Washington, D.C. 20006
(202) 310-5500 (Telephone)
(202) 310-5555 (Facsimile)
matthew.berkowitz@carmaloney.com
sarah.james@carmaloney.com

/s/ Daniel Tobin
Daniel Tobin, Esq., (Bar # 10338)
Ballard Spahr LLP
1909 K Street, N.W.
12th Floor
Washington, DC 20006
(202) 661-2256 (Telephone)
(202) 661-2299 (Facsimile)
tobindj@ballardspahr.com

AMANDA NORRIS AND
JOSEPH NORRIS, III

/s/ Amanda Norris¹
Amanda Norris
Joseph Norris, III
8616 Inwood Road
Windsor Mill, MD 21244

¹ Matthew Berkowitz and Amanda Norris discussed the contents of this Report on July 14, 2022. After reading the Report back to Ms. Norris, Ms. Norris authorized Mr. Berkowitz to sign her name to this Report.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 14, 2022, a true copy of the foregoing document was served via the Court's ECF system on the following:

Daniel J. Tobin, Esq.
Ballard Spahr LLP
1909 K Street, N.W.
Washington, DC 20006
Counsel for PNC Bank, N.A.

and was served via U.S. Mail upon:

Amanda Norris
Joseph Norris, III
8616 Inwood Road
Windsor Mill, MD 21244
Pro se Plaintiffs

/s/ Matthew D. Berkowitz
Matthew D. Berkowitz